



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Cernerud et al.  
Serial No. : 10/622,055  
Filed : July 17, 2003  
Title : NEW COMPOUNDS

Art Unit : 1614  
Examiner : Unknown

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Responsive to the Restriction Requirement (RR) dated August 8, 2005, Applicants elect the invention of Group I, claims 1-13 and 28, drawn to chemical compounds of the general formula (I).

The Office has required restriction among claims directed to compounds, method of use of the compounds and pharmaceutical compositions containing the compounds (RR, page 2, Groups I and II). According to the Office (RR, page 4, emphasis in original):

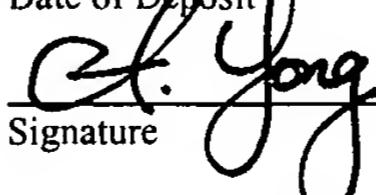
Where applicant elects claims directed to compounds, and a compound claim is subsequently found allowable, the withdrawn pharmaceutical composition claim and method of use claims that depend from or otherwise include all the limitations of the allowable compound claim will be rejoined in accordance with the provisions of MPEP 821.04. **A pharmaceutical composition claim and method of use claims that depend from or otherwise include all the limitations of the patentable compound will be entered as a matter of right if the amendment is presented prior to final rejection of allowance, whichever is earlier.**

## CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

11/8/05

Date of Deposit

  
Signature

Ashley K. Long

Typed or Printed Name of Person Signing Certificate

Applicant : Cernerud et al.  
Serial No. : 10/622,055  
Filed : July 17, 2003  
Page : 2 of 2

Attorney's Docket No.: 13425-122001 / BV-1031-US  
Reg

To the extent that the pharmaceutical composition claim and method of use claims will be rejoined upon allowance of the compound claims, the election is made without traverse.

Please apply any charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 13425-122001.

Respectfully submitted,

Date: November 8, 2005

John T. Kendall  
John T. Kendall  
Reg. No. 50,680

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906

21202091.doc